

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

UNITED STATES OF AMERICA,

NO. MJ13-434

Plaintiff,

DETENTION ORDER

v.

GERARDO GOMEZ,

Defendant.

Offenses charged:

Count 1: Distribution of a Controlled Substances

Count 2: Felon in Possession of a Firearm

Date of Detention Hearing: September 12, 2013

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) Pursuant to 18 U.S.C. § 3142(e), there is a rebuttable presumption that defendant is a flight risk and a danger to the community based on the nature of the pending charges. Application of the presumption is appropriate in this case.
- (2) Defendant has serious on-going substance abuse issues.
- (3) Defendant has a history of failures to comply with terms of supervision.

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18 U.S.C. § 3142(i)

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- 1 (4)
- 2 (5) The evidence against the defendant, although the least significant factor, is very
- 3 strong.
- 4 (6) Defendant has strong family ties to Mexico.
- 5 (7) There are no conditions or combination of conditions other than detention that
- 6 will reasonably assure the appearance of defendant as required or ensure the
- 7 safety of the community.

8 IT IS THEREFORE ORDERED:

- 9 (1) Defendant shall be detained and shall be committed to the custody of the
- 10 Attorney General for confinement in a correction facility separate, to the extent
- 11 practicable, from persons awaiting or serving sentences or being held in custody
- 12 pending appeal;
- 13 (2) Defendant shall be afforded reasonable opportunity for private consultation with
- 14 counsel;
- 15 (3) On order of a court of the United States or on request of an attorney for the
- 16 government, the person in charge of the corrections facility in which defendant
- 17 is confined shall deliver the defendant to a United States Marshal for the
- 18 purpose of an appearance in connection with a court proceeding; and
- 19 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
- 20 counsel for the defendant, to the United States Marshal, and to the United States
- 21 Pretrial Services Officer.

22 DATED this 12th day of September, 2013.

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25 JAMES P. DONOHUE

26 United States Magistrate Judge